



IFW

PATENT
Customer No. 22,852
Attorney Docket No. 03495-0151-02000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Sanchis et al.) Group Art Unit: 3751
Application No.: 09/918,485) Examiner: Carlson, Karen C.
Filed: August 1, 2001) Confirmation No.: 4802
For: NUCLEOTIDE SEQUENCES)
CODING FOR POLYPEPTIDES)
ENDOWED WITH A LARVICIDAL)
ACTIVITY TOWARD)
LEPIDOPTERA)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

THIRD REQUEST FOR CORRECTED FILING RECEIPT

Further to the Second Request for Corrected Filing Receipt, filed by Applicants on August 7, 2003, Applicants are renewing their request for issuance of a corrected Filing Receipt. As done previously, Applicants are forwarding herewith a copy of a Filing Receipt for the above-identified patent application. The error is in the omission of the name of Raymond Dedonder of Chatenay Malabry (FR) as an inventor. This error is shown in red ink on the attached copy. Additionally, a copy of the Declaration executed by Raymond Dedonder is also enclosed.

It is respectfully requested that a corrected Filing Receipt be issued as soon as possible, and that the cover page of any patent issuing from this application include Raymond Dedonder in the list of inventors.

Customer No. 22,852
Application No. 09/918,485
Atty. Docket No. 03495.0151-02000

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: May 24, 2005

By: 

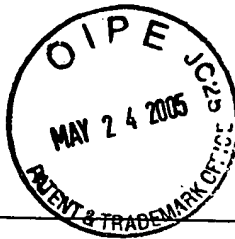
Deborah Katz

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E-mail: deborah.katz@finnegan.com



SHG/KAM/DVK
03495-0151-Q

Commissioner for Patents
Washington, DC 20231
www.uspto.gov

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|------------------|----------|------------|------------|
| 09/918,485 | 08/01/2001 | 3751 | 1088 | 03495.0151-02000 | 5 | 19 | 3 |

22852
FINNEGAN, HENDERSON, FARABOW, GARRETT &
DUNNER LLP
1300 I STREET, NW
WASHINGTON, DC 20006

CONFIRMATION NO. 4802

UPDATED FILING RECEIPT



OC000000008840855

Date Mailed: 09/24/2002

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Sanchis Vincent, Cambridge, UNITED KINGDOM;
Lereclus Didier, Paris, FRANCE;
Menou Ghislaine, Paris, FRANCE;
Lecadet Marguerite-Marie, Paris, FRANCE;
Martouret Daniel, Saint-Cyr L'Ecole, FRANCE;

Declercq, Raymond, Chateaufort, FRANCE

Assignment For Published Patent Application

Institut Pasteur and Institute National de la Recherche Agronomic;

Domestic Priority data as claimed by applicant

This application is a DIV of 09/037,621 03/10/1998 PAT 6,310,035
which is a DIV of 08/461,551 06/05/1995 PAT 5,792,928
which is a DIV of 08/251,652 05/31/1994 ABN
which is a CON of 08/094,382 07/21/1993 ABN
which is a CON of 07/458,754 12/11/1989 ABN

Foreign Applications

EUROPEAN PATENT OFFICE (EPO) 87 08090 06/10/1987
FRANCE 88 401 121.4 05/06/1988

If Required, Foreign Filing License Granted 09/05/2001

Projected Publication Date: 01/02/2003

RECEIVED

SEP 27 2002

FINNEGAN, HENDERSON, FARABOW,
GARRETT AND DUNNER, LLP

10/10/2002

Non-Publication Request: No

Early Publication Request: No

Title

Nucleotide sequences coding for polypeptides endowed with a larvicidal activity towards lepidoptera

Preliminary Class

222

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

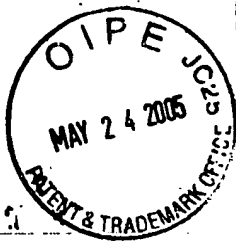
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



BEST AVAILABLE COPY

645 AAC

Declaration, Power Of Attorney and Petition

Page 1 of 4

WE (I) the undersigned inventor(s), hereby declare(s) that:

My residence, post office address and citizenship are as stated below next to my name,

We (I) believe that we are (I am) the original, first, and joint (sole) inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled

NUCLEOTIDE SEQUENCES CODING FOR POLYPEPTIDES ENCODED WITH A
LARVICIDAL ACTIVITY TOWARDS LEPIDOPTERA

the specification of which

☒ is attached hereto.

☒ was filed on December 11, 1989 as

Application Serial No. _____

and amended on _____

☐ was filed as PCT international application

Number PCT/EP 88/00292

on June 9, 1988

and was amended under PCT Article 19

on _____ (if applicable).

We (I) hereby state that we (I) have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We (I) acknowledge the duty to disclose information material to the examination of this application in accordance with Section 1.56(a) of Title 37 Code of Federal Regulations.

We (I) hereby claim foreign priority benefits under Section 119 of Title 35 United States Code, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| Application No. | Country | Day/Month/Year | Priority Claimed |
|-----------------|---------|----------------|---|
| 87 08090 | FRANCE | 10/6/1987 | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 88 401 121.4 | EUROPE | 06/5/1988 | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| _____ | _____ | _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| _____ | _____ | _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Went 12/90

We (I) hereby claim the benefit under Section 120 of Title 35 United States Code, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Section 112 of Title 35 United States Code, We (I) acknowledge the duty to disclose material information as defined in Section 1.56(a) of Title 37 Code of Federal Regulations, which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| Application Serial No. | Filing Date | Status (pending, patented, abandoned) |
|------------------------|-------------|---------------------------------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |

I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:

| | | | | | |
|------------------------|--------|---------------------------|--------|------------------------|--------|
| William L. Mathis | 17,337 | Norman M. Sierpno | 22,716 | Robert G. Mula | 28,531 |
| Peter H. Smolka | 15,913 | Ronald L. Grudziowski | 24,970 | George A. Hovance, Jr. | 28,223 |
| Robert S. Swecker | 19,885 | Frederick G. Michaud, Jr. | 26,003 | James A. LaBarte | 28,632 |
| Piston N. Mandros | 22,124 | Alan E. Kopecki | 23,813 | E. Joseph Goss | 28,510 |
| Benson S. Duffett, Jr. | 22,030 | Regis E. Sluiter | 26,999 | David D. Reynolds | 29,273 |
| Joseph R. Magnone | 24,239 | Samuel C. Miller, III | 27,360 | B. Danny Huntington | 27,103 |
| Joel M. Freed | 25,101 | Ralph L. Freeland, Jr. | 16,110 | | |

and:

Address all correspondence to:

Burns, Doane, Swecker & Mathis
George Mason Building
Washington and Prince Streets
P. O. Box 1404
Alexandria, Virginia 22313-1404

Address all telephone calls to: _____ at (703) 836-6620.

We (I) declare that all statements made herein of our (my) own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SANCHIS Vincent

NAME OF FIRST SOLE INVENTOR

Signature of Inventor

Date

Residence: ~~15, Avenue Toulouse-Lautrec~~

~~70300 BOIS D'AREY~~ 28 MINSUMMER COURT,
MANHATTAN DRIVE CAMBRIDGE CB4 1JX (UK)

Citizenship: FRENCH

Post Office Address: _____

5 February 1990

645AAB

LERECLUS Didier
NAME OF SECOND JOINT INVENTOR

Signature of Inventor

Date

MENOU Ghislaine
NAME OF THIRD JOINT INVENTOR

Signature of Inventor

Date

LECADET Marguerite-Marie
NAME OF FOURTH JOINT INVENTOR

Signature of Inventor

Date

MARTOURET Daniel
NAME OF FIFTH JOINT INVENTOR

Signature of Inventor

Date

Residence:

Citizenship:

Post Office Address:

Residence:

Citizenship:

Post Office Address:

Residence:

Citizenship:

Post Office Address:

Residence:

Citizenship:

Post Office Address:

645AAE

Page 4 of 4
Declaration

DEDONDER Raymond
NAME OF SECOND JOINT INVENTOR

Signature of Inventor

Date

NAME OF THIRD JOINT INVENTOR

Signature of Inventor

Date

NAME OF FOURTH JOINT INVENTOR

Signature of Inventor

Date

NAME OF FIFTH JOINT INVENTOR

Signature of Inventor

Date

Residence: _____

Citizenship: _____

Post Office Address: _____

Residence: _____

Citizenship: _____

Post Office Address: _____

Residence: _____

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Declaration, Power Of Attorney and Petition

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6/12/90

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SANCHIS Vincent

NAME OF FIRST SOLE INVENTOR

Signature of Inventor

Date

Residence:

Citizenship:

Post Office Address:

LERECLUS Didier

NAME OF SECOND JOINT INVENTOR

DL. Luy

Signature of Inventor

4-2-90

Date

MENOU Ghislaine

NAME OF THIRD JOINT INVENTOR

Signature of Inventor

Date

LECADET Marguerite-Marie

NAME OF FOURTH JOINT INVENTOR

M. L. L.

Signature of Inventor

4-2-90

Date

MARTOURET Daniel

NAME OF FIFTH JOINT INVENTOR

D. Martouret

Signature of Inventor

4-2-90

Date

Residence: 16bis rue Lauriston

75116 PARIS (France)

Citizenship: FRANCE

Post Office Address: the same

Residence:

Citizenship:

Post Office Address:

Residence: 10, rue Nicolas-Charlet
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Citizenship: FRANCE

Post Office Address: the same

Residence: 6 Square de l'Hôtel
de Ville

78210 SAINT-CYR L'ECOLE (France)

Citizenship: FRANCE

Post Office Address: the same

DEDONDER Raymond

NAME OF SECOND JOINT INVENTOR

Signature of Inventor

Date

4-2-90

Residence: 3 allée des Pépinières

92290 CHATENAY MALABRY (France)

Citizenship: FRANCE

Post Office Address: the same

NAME OF THIRD JOINT INVENTOR

Signature of Inventor

Date

Residence:

Citizenship:

Post Office Address:

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645 AH

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SANCHIS Vincent

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Residence: _____

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645AAB

Page 3 of 4
Declaration

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Signature of Inventor

Date 4.2.96

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Signature of Inventor

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MARTOURET Daniel

NAME OF FIFTH JOINT INVENTOR

Signature of Inventor

Date

Residence: _____

Citizenship: _____

Post Office Address: _____

Residence: 22, rue Rosenwald

75015 PARIS (France)

Citizenship: FRANCE

Post Office Address: the same

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645 AHC

DEDONDER Raymond
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